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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Wen GAO, ET AL.**  
International Appln. No.  
**PCT/CN02/00673**

International Filing Date: 22/SEPTEMBER/2002

U.S. Serial No.: 10/521,877 ✓

Filed: 01/20/2005

Title: A METHOD AND APPARATUS FOR RATE  
DISTORTION OPTIMIZATION BASED RATE  
CONTROL

**CERTIFICATE OF MAILING,  
37 C.F.R. §1.8(a)**

I certify that this correspondence and the enclosures mentioned  
therein are being deposited by First Class U.S. Mail with sufficient  
postage on the date shown below, addressed to the Commissioner  
for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

*Lewis F. Gould, Jr.*  
Reg. No. 25,057

*October 20, 2005*  
Date

TRANSMITTAL LETTER

MAIL STOP MISSING PARTS

Commissioner for Patents  
P. O. BOX 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing are the following documents:

- ☒ Response to Notification of Missing Requirements; and original Declaration and Power of Attorney signed by the inventors.
- ☒ Assignment document; Assignment recordation cover form; and \$40.00 fee.
- ☒ Please charge \$105.00 in fees due to Deposit Acct. No. 04-1679.  
A duplicate of this transmittal page is attached.
- ☒ Enclosed: \$65.00 surcharge for late filing of signed Declaration; return postcard

Respectfully submitted,

Date: *October 20, 2005*

10/28/2005 ATRAN1 00000122 041679 10521877  
01 FC:2617 65.00 DA

*Lewis F. Gould, Jr.*  
Lewis F. Gould, Jr.  
Registration No. 25,057  
DUANE MORRIS LLP.  
30 South 17<sup>th</sup> Street  
Philadelphia, PA 19103-4196  
(215) 979-1282

Docket No: E1734-00006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Wen GAO, ET AL.**  
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**PCT/CN02/00673**

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*Lewis F. Gould, Jr.*  
Lewis F. Gould, Jr.  
Reg. No. 25,057  
*October 10, 2005*  
Date

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. 371**

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P. O. BOX 1450  
Alexandria, VA 22313-1450

Sir:

On January 20, 2005, applicants filed the above-identified U.S. national phase patent application via Express Mail Procedure. Enclosed is a copy of the date-stamped, return postcard bearing the U.S. Serial No. accorded to the application.

The application was complete, but lacked a signed Declaration and Power of Attorney document. The Declaration filed on January 20, 2005, was not signed by the inventors.

Attached is the original, executed Declaration and Power of Attorney signed and dated by all of the inventors in the above-identified patent application.

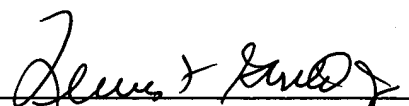
Attached is a copy of formalities letter no. 6159.

Applicant submits the \$65.00 surcharge fee for the late filed signed Declaration. Please charge the deposit account of the undersigned, Deposit Account No. 04-1679 for the \$130.00 fee.

Applicant respectfully requests that the enclosed Declaration be entered into the above-identified pending Patent Application.

Respectfully submitted,

Date: October 20, 2005

  
\_\_\_\_\_  
Lewis F. Gould, Jr.  
Registration No. 25,057  
DUANE MORRIS LLP  
30 South 17<sup>th</sup> Street  
Philadelphia, PA 19103  
(215) 979-1282

Docket No: E1734-00006



## UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 17 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

**DOCKETED**

U.S. APPLICATION NUMBER NO. 10/521,877	FIRST NAMED APPLICANT Wen Gao	ATTY. DOCKET NO. E1734-006
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8933  
 DUANE MORRIS, LLP  
 IP DEPARTMENT  
 30 SOUTH 17TH STREET  
 PHILADELPHIA, PA 19103-4196

INTERNATIONAL APPLICATION NO.

PCT/CN02/00673

I.A. FILING DATE

PRIORITY DATE

09/23/2002

**CONFIRMATION NO. 6159****371 FORMALITIES LETTER**

\*OC000000017221973\*

Date Mailed: 10/12/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/20/2005
- Copy of the International Search Report filed on 01/20/2005
- Information Disclosure Statements filed on 04/21/2005
- Request for Immediate Examination filed on 01/20/2005
- U.S. Basic National Fees filed on 01/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/521,877	PCT/CN02/00673	E1734-006

FORM PCT/DO/EO/905 (371 Formalities Notice)